

9-16-04
PATENT AND TRADEMARK
DIVISION

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EXPRESS MAIL NO.:
Deposited On:

EV 373444768 US
September 15, 2004

PATENT

CC

2004 SEP 17 PM 3:38

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/667,108
Applicant(s) : Steven A. Root and Michael R. Root
Filed : 09/19/2003
TC/A.U. : 2857
Examiner : Donald E. McElheny Jr.
Title : INTERACTIVE ADVISORY SYSTEM
Docket No. : 8379.006
Customer No. : 30589

Confirmation No.:

RECEIVED

SEP 21 2004

OFFICE OF PETITIONS

MS Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS SMALL ENTITY
(37 C.F.R. § 1.28(c))**

Erroneous Filing of Small Entity Statement

- On September 19, 2003, a small entity assertion was erroneously filed in this
[X] Application
[] patent
- This assertion of small entity status in this application and the payment of fee(s) as a small entity was made in good faith.
- It has been discovered that such status as a small entity was established in error.

Itemization of the Fee(s) Erroneously Paid as Small Entity

4.	<u>FEE(S) ERRONEOUSLY PAID</u> <u>AS A SMALL ENTITY</u>	<u>FEE ACTUALLY</u> <u>PAID AS A</u> <u>SMALL ENTITY</u>	<u>DEFICIENCY</u> <u>OWED</u>
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[X] Filing fee paid on <u>September 19, 2003.</u>	\$ <u>375.00</u>	\$ <u>375.00</u>
[X] Fee for excess claims (over 20) paid on <u>September 19, 2003</u>	\$ <u>162.00</u>	\$ <u>162.00</u>
[X] Fee for independent (over 3) claims paid on <u>September 19, 2003</u>	\$ <u>84.00</u>	\$ <u>84.00</u>
[] Extension of time fee paid on _____	\$ _____	\$ _____
[] The issue fee paid on _____	\$ _____	\$ _____
[] _____ maintenance fee paid on _____	\$ _____	\$ _____
[X] Other: Terminal Disclaimer fee paid on paid on <u>June 23, 2004</u>	\$ <u>55.00</u>	\$ <u>55.00</u>
Total deficiency owed:		\$ <u>676.00</u>

Respectfully submitted,

Marc Brockhaus

Marc A. Brockhaus
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Express Mail No. EV 373444768 US

Deposited on: September 15, 2004

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

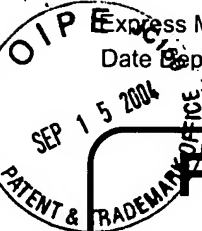
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/667,108	
	Filing Date	09/19/2003	
	First Named Inventor	Steven A. Root	
	Group Art Unit	2857	
	Examiner Name	Donald E. McElheny Jr.	
Total Number of Pages in This Submission	4	Attorney Docket Number	8379.006

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See remarks below:
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	1. Fee Transmittal (1 pg); 2. Transmittal Form (1 pg); 3. Credit Card Payment Form (1pg); 4. Notification of Error in Payment of Fees(s) as Small Entity 5. Postcard	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	DUNLAP, CODDING & ROGERS, P.C., Customer Number 30589 P. O. Box 16370, Oklahoma City, Oklahoma 73113, Marc A. Brockhaus
Signature	<i>Marc Brockhaus</i>
Date	9-15-2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express mail no. EV 373444768 US in an envelope addressed to the address below on this date: September 15, 2004			
Typed or printed name	Marc A. Brockhaus, Reg. No. 40,923		
Signature	<i>Marc Brockhaus</i>	Date	9-15-2004

SEND TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Express Mail No.: EV 373444768 US
Date Deposited: 09/15/2004

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 676

Complete if Known

Application Number	10/667.108
Filing Date	09/19/2003
First Named Inventor	Steven A. Root
Examiner Name	Donald E. McElheny Jr.
Art Unit	2857
Attorney Docket No.	8379.006

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
					\$0
					\$0
					\$0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Deficiency payment

676

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 676

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Marc A. Brockhaus	Registration No. (Attorney/Agent)	40,923	Telephone	(405) 607-8600
Signature	Marc Brockhaus	Date	09/15/2004		

Mail Stop Petitions
Commissioner for Patents
PO Box 1450, Alexandria, VA 22313-1450